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37 C.F.R. §1.8

I hereby certify that this paper is being deposited with the U.S. Postal Service as First-Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below:

Date

Susan F. Mahon

DOCKET NO.: 8344-001-27

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



Re: Serial No.: 09/373,576
Applicant(s): J. KEITH KELLY, ET AL.
Filing Date: AUGUST 13, 1999
For: GARDEN AND AGRICULTURAL MATERIAL IDENTIFICATION
METHOD AND APPARATUS
Group Art Unit: 3643

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SIR:

Attached hereto for filing are the following papers:

PRELIMINARY AMENDMENT

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 50-0911. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

LONG ALDRIDGE & NORMAN LLP

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Susan F. Mahon

Docket No. 8344-001-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: J. KEITH KELLY, ET AL.

GAU:

3643

SERIAL NO: 09/373,576

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FOR: GARDEN AND AGRICULTURAL MATERIAL IDENTIFICATION
METHOD AND APPARATUS

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SIR:

Prior to examination on the merits, entry of the following amendments is respectfully requested.

IN THE CLAIMS:

Please amend the following claim:

1. (Amended) A method for identifying a gardening material comprising the steps of:
- presenting a user with at least one inquiry;
 - inputting the inquiry on a computer; and
 - identifying at least one gardening material based upon a response to the inquiry.